IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 20TH NOVEMBER 2006 / 29TH KARTHIKA 1928

WP(C).No. 26132 of 2006(J)

PETITIONER:

K.V.ELIAS, S/O.VARKEY, AGED 68 YEARS,
KARIMANKULAM HOUSE, KUREEKKAD P.O.,
ERNAKULAM DIST., NOW RESIDING AT KARIMANKULAM
HOUSE, AMBADIMALA, KUREEKKAD PO., ERNAKULAM
DIST.

BY ADV. SRI.VARGHESE.J.PUNNACHALIL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO THE GOVERNMENT, DEPARTMENT OF
IRRIGATION, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE EXECUTIVE ENGINEER,
MUVATTUPUZHA VELLEY IRRIGATION PROJECT,
DIVISION NO.IV, PIRAVOM.

3. THE SPECIAL TAHSILDAR (L.A),
MUVATTUPUZHA VALLEY IRRIGATION PROJECT,
ELANJI, NOW FUNCTIONING AT KOOTHATTUKULAM,
ERNAKULAM DISTRICT.

4. THE DISTRICT COLLECTOR,
CIVIL STATION, KAKKANAD, ERNAKULAM.

BY GOVERNMENT PLEADER SRI.L.G.SURESH BABU
ADDL.ADVOCATE GENERAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).NO.26132 OF 2006

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1: COPY OF THE JUDGMENT DATED 1.10.2004 IN WP(C).NO.26312 OF 2004.

EXHIBIT P2: COPY OF 'D' FORM CHEQUE ISSUED TO THE PETITIONER DATED 4.1.2005

EXHIBIT P3: COPY OF THE APPLICATION FOR REFERENCE DATED 31.1.2005.

EXHIBIT P4: COPY OF THE RECEIPT EVIDENCING THE ISSUANCE OF EXHIBIT P3.

/TRUE COPY/

PA TO JUDGE

K.HEMA, J.

W.P.(C).NO. 26132 OF 2006

Dated this the 20th day of November, 2006

JUDGMENT

This petition is filed to issue a writ of mandamus directing the respondents to refer the land acquisition proceedings in LAC.No.379/1996 to a competent civil court for adjudication. The learned Government Pleader submitted that the matter is referred under Section 18 of the Land Acquisition Act to the Sub Court, Muvattupuzha on 27.10.2006. This submission is recorded and the prayer has become infructuous.

The Writ petition is disposed of as above.

K.HEMA, JUDGE

vgs.